

UNITED STATES DISTRICT COURT **FILED**

for the

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICODistrict of New Mexico 

16 MAR -8 AM 10: 14

3

In the Matter of the Search of )  
 (Briefly describe the property to be searched )  
 or identify the person by name and address )  
 THREE SAMSUNG CELLULAR TELEPHONES )  
 POSSESSED BY STEVEN M. MONTOYA AND NOW IN )  
 THE CUSTODY OF THE ALBUQUERQUE FBI OFFICE )

Case No.

CLERK-ALBUQUERQUE

16mr 175

**SEARCH AND SEIZURE WARRANT**

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the Judicial District of New Mexico  
 (identify the person or describe the property to be searched and give its location):

See Attachment A

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal (identify the person or describe the property to be seized):

See Attachment B

**YOU ARE COMMANDED** to execute this warrant on or beforeMarch 21, 2016 (not to exceed 14 days)

in the daytime 6:00 a.m. to 10:00 p.m.  at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to Karen B. Molzen

(United States Magistrate Judge)

Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box)

for \_\_\_\_\_ days (not to exceed 30)  until, the facts justifying, the later specific date of

45 days or further  
order of the court

Date and time issued:

March 7, 2016 at 10:45 am  
pm  
1pmKaren B. Molzen  
Judge's signature

City and state:

Albuquerque, New Mexico

Karen B. Molzen, United States Magistrate Judge

Printed name and title

**Return**

Case No.:	Date and time warrant executed:	Copy of warrant and inventory left with:
16MR175	3-7-2016 @ 1207 PM	N/A - <b>DELAY NOTICE</b>

Inventory made in the presence of:

**N/A - DELAY NOTICE**

Inventory of the property taken and name of any person(s) seized:

ALL THREE CELL PHONES CONTAINED TEXT MESSAGES PERTAINING TO DRUG TRANSACTIONS. OTHER TEXT MESSAGES WERE TO AND/OR FROM KNOWN AND SUSPECTED GANG MEMBERS.

CELLULAR PHONE (3) MODEL SM-G530T CONTAINED PHOTOS OF THE DEFENDANT AND SUSPECTED GANG MEMBERS.

SUSPECTED

SIX <sup>A</sup>SNM GANG MEMBERS WERE LISTED WITHIN THE CONTACT PORTION OF PHONE (2) A 000004BEE1BFB.

THE DEVICES WERE SEARCHED BY FBI SA BRYAN ACEE AND USPO OFCR. CAMILLA DUARTE ON 3-7-2016.

NOTICE TO DEFENDANT WILL BE DELAYED PURSUANT TO JUDGE MOLZEN'S ORDER.

**Certification**

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

Date: 3/7/16



Executing officer's signature

**BRYAN ACEE, FBI SPECIAL AGENT**  
Printed name and title

**ATTACHMENT A**

The properties to be searched are the following Samsung cellular telephones:

- (1) model SM-B311V, serial number SMB311VZPP, MEID HEX number  
A0000048F9F395,
- (2) model SM-B311V, serial number SMB311VZPP, MEID HEX number  
A0000048EE18F8, and
- (3) model SM-G530T, serial number R28GB1TM9SM, IMEI number 359128065732402,

The Devices are currently maintained by the FBI in Albuquerque, New Mexico.



**ATTACHMENT B**

- 1) All records on the Devices described in Attachment A, to include:
  - a. lists of contacts and related identifying information;
  - b. any information related to SNM Gang members, associates, or activities, including names, addresses, phone numbers, monikers, photographs, drug ledgers, drug descriptions, pay-and-owe messages, bank account numbers, or any other identifying information;
  - c. any information pertaining to MONTOYA, the SNM Gang, or persons and businesses believed to be located in New Mexico;
  - d. cellular telephone account information, credit card payment information, financial records pertaining to the account and any other details pertaining to the account(s) established within the Devices.
- 2) Evidence of user attribution showing who used or owned the Devices at the time the things described in this warrant were created, edited, or deleted, such as logs, phonebooks, saved usernames and passwords, documents, and browsing history.

As used above, the terms "records" and "information" include all of the foregoing items of evidence in whatever form and by whatever means they may have been created or stored, including any form of computer or electronic storage (such as flash memory or other media that can store data) and any photographic form.

